

NOV 14 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

PHILLIP IRVING,)	CASE NO. 7:11CV00528
)	
Petitioner,)	
)	FINAL ORDER
vs.)	
)	
UNITED STATES OF AMERICA,)	By: James C. Turk
)	Senior United States District Judge
Respondent.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this action, which the court construes as a petition for a writ of mandamus, pursuant to 28 U.S.C. § 1361, is **DISMISSED** as frivolous, and this action is stricken from the active docket of the court.

ENTER: This 14th day of November, 2011.

[Signature]
Senior United States District Judge